

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHN RICHARD JAE,)	
)	
Plaintiff,)	
)	
v.)	2:04cv1684
)	Electronic Filing
)	
NEAL MECHLING, CAPT. GREG)	Judge Cercone
MOHRING, OFF. RANDY MINNICK,)	Magistrate Judge Caiazza
OFF. JOHN KNUPSKY, OFF. RICHARD)	
WYZA, OFF. ALAN LYNCH, DR.)	
GINCHEREAU, M.D., DR. JEFFREY A.)	
BEARD, Ph.D., and WILLIAM S.)	
STICKMAN,)	
)	
Defendants.)	

MEMORANDUM ORDER

John Richard Jae's civil rights complaint was removed from state court on November 4, 2004, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on February 27, 2007, recommended that the Defendants' Motion for Summary Judgment (Document No. 41) be granted. The parties were allowed ten days from the date of service of the report to file objections. Service was made on the Plaintiff by First Class United States Mail delivered to the State Correctional Institution at Cresson. Objections were due on or before March 16, 2007. No objections have been filed; however, the Court notes that Plaintiff filed a motion requesting an extension of time to file his objections. The Court denied Plaintiff's motion, but ruled that Plaintiff's failure to file objections shall not be considered a waiver of any claims he may present on appeal.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 27th day of March, 2007,

IT IS HEREBY ORDERED that the Defendants' Motion for Summary Judgment (Document No. 41) is GRANTED.

The Report and Recommendation of Magistrate Judge Caiazza, (Document No. 57), dated February 27, 2007, is adopted as the opinion of the Court.



David Stewart Cercone
United States District Judge

cc: Honorable Francis X. Caiazza
United States Magistrate Judge

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